THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.847 of 2007

Dated: 07-12-2007

Between:

V.Sita Mahalakshmi.

.... Appellants

AND

1.The Mandal Revenue Officer,
Bheemunipatnam Mandal,
Visakhapatnam District, and 2 others.

.....Respondents

THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.847 of 2007

Dated: 07-12-2007

Judgment: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

This Writ Appeal has been filed by the appellant-petitioner aggrieved by an order dated 02.07.2007, passed by a learned single Judge of this Court in W.P.No.13588 of 2007.

Heard the learned Counsel for the parties and perused the material available on record.

The Writ Petition was filed by the appellant challenging the

action of the first respondent-Mandal Revenue Officer Bheemunipatnam Mandal, in granting pattadar passbook to the third respondent, who is her son. It appears that there is a dispute between the appellant and her son i.e., the third respondent over a piece of land admeasuring one acre. The learned single Judge dismissed the Writ Petition on the ground that the order passed by the first respondent-Mandal Revenue Officer, granting pattadar passbook to the third respondent, was appealable under Section 5(5) of the Andhra Pradesh Rights in Land and Pattadar Passbook Act, 1989 (for short 'the Act'). Hence, the present appeal.

The learned Counsel for the appellant submits that in spite of an application, the appellant was not given even a copy of the order, by which pattadar passbook was given to the third respondent, and as such, she could not file the appeal, which is provided under the Act.

In these circumstances, we direct that a copy of the order, granting pattadar passbook to the third respondent, for which, the appellant had already moved an application before the first respondent-Mandal Revenue Officer, be given to the appellant immediately. After getting a copy of the said order, the appellant shall file an appeal within fifteen days. For a period of six weeks from today, it is directed that the third respondent shall not alienate the property in question or create any third party interest.

The Writ Appeal is, accordingly, disposed of. No costs.

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(Bilal Nazki, A.C.J)

Dated 7th December, 2007

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(Ramesh Ranganathan, J)

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